# Jul-07-04 04:43P BROOKS LAW OFFICE

512 527 0107

7-9-04 P.O.1
RECEIVED
CENTRAL FAX CENTER

LAW OFFICE OF KENNETH C. BROOKS

P.O. Box 10417

Telephone: (512) 527-0104 patentsrus@earthlink.net Austin, Texas 78766-1417 Facsimile: (512)-527-0107 JUL 0 7 2004

OFFICIAL

### FACSIMILE TRANSMITTAL SHEET

TO Common And Linia 2/71	FROM		
Group Art Unit 2671	Kenneth C. Brooks		
United States Patent and Trademark	DATE: 1.2004		
Office	July 7, 2004		
FAX NUMBER.	TOTAL NO. OF PAGES INCLUDING COVER		
(703) 872-9306	5		
Information Disclosure Statement			
U.S. Patent Application No. 09/884,424			
Filing Date: June 19, 2001			
-	DYING FREE SPACE OPTICAL SWITCHING		

Please see attached.

Ref. No. MYS 01-08-12

Encls. Transmittal Form Information Disclosure Statement Form 1449 - One (I) Reference KCB:rndc

THE INFORMATION CONTAINED IN (HIS FACSIMILE MESSAGE IS IN)ENDED ONLY FOR THE PERSONAL AND CONFIDENTIAL USE OF THE DESIGNATED RECIPIENT(S) NAMED ABOVE. THIS MESSAGE MAY BE AN ATTORNEY-CLIENT COMMUNICATION, AND AS SUCH IS REVIVILEGED AND CONFIDENTIAL, IF THE RRADER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT OR AN AGENT RESPONSIBLE FOR DELIVERING IT TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT YOU HAVE RECEIVED THIS DOCUMENT IN SERVICE AND THAT ANY REVIEW, DISSEMINATION, DISTRIBUTION OF COPYING OF THIS MESSAGE IS STRICTLY PROHIBITED, IF YOU HAVE RECEIVED THIS COMMUNICATION IN BEROA, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE AND RETURN THE OBIGINAL MESSAGE TO BE SEY MAIL, THANK YOU

PTO/SB/21 (02-04) Approved for use through 07/31/2006, DMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE Under the Paperwork Reduction Act of 1995, no occions are required to respond to a collection of information unless it displays a valid OMB control number. Application Number 09/884,424 TRANSMITTAL Filing Date June 19, 2001 FORM First Named Inventor Robert Mays, Jr. Art Unit (to be used for all currespondence after initial tiling) 2871 Examiner Name Unassigned Attorney Docket Number MYS-01-08-12 Total Number of Pages in This Submission **ENCLOSURES** (Check all that apply) After Allowance communication Fee Transmittal Form Drawing(s) to Technology Conter (IC) Appeal Communication to Board Licensing-related Papers Fee Attached of Appeals and Interferences Appeal Communication to TC Amendment/Reply (Appeal Notice, Brief, Ropty Brief) Petition to Convert to a After Final Proprietary Information Provisional Application Power of Attorney, Revocation Affidavits/declaration(s) Status Letter Change of Correspondence Address Other Enclosure(s) (please Terminal Disclaimer **Extension of Time Request** Identify below). Form 1449 - One (1) Reference Request for Refund Express Abandonment Request CD, Number of CD(s) Information Disclosure Statement Remarks Certified Copy of Priority Document(s) Response to Missing Parts/ Incomplete Application Response to Missing Parts under 37 CFR 1.52 or 1.53 SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Firm Kenneth C. Brooks Individual name Signature Date CERTIFICATE OF TRANSMISSION/MAILING I hereby certify that this correspondance is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below. Typed or printed name Michael D. Carte Date DNY 7.,2004 Signature This collection of Information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gothering, preparing, and submitting the completed application form to the USPTO. Time will vary deprending upon the individual case. Any comments on the amount of lime you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commercia, P.O. Box 1450, Alexandris, VA. 2233-1450, DO NOT SEND FEES OR COMPLETED FORMS TO THIS

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

ADDRESS, SEND 10: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Jul-07-04 04:43P BROOKS LAW OFFICE

512 527 0107

OFFICIAL RECEIVED CENTRAL FAX CENTER

1

JUL 0 7 2004

#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Robert Mays, Jr. PATENT APPLICATION Serial No.: 09/884,424 Group Art Unit.: 2671 Filing Date: June 19, 2001 Examiner: Unassigned For: NETWORK SWITCH EMPLOYING FREE-SPACE OPTICAL SWITCHING

TECHNTQUE

### INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents Alexandria, VA 22313

### Sir:

The following information is submitted in compliance with Applicants' duty of disclosure under 37 C.F.R. § 1.56. No item of information contained in this information disclosure statement was know to any individual designated in 37 C.F.R. §1.56 more than three (3) months prior to the filing of this information disclosure statement. Form PTO-1449 and the requisite copies of each reference recited below accompanies this document. It is respectfully requested that the cited information be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

2

## U.S. PATENT DOCUMENTS

Number Kind Code Inventor Date of Publication 5,706,114 B1 Eretza 01-06-1998

CERTIFICATE OF TRANSMISSION I hereby certify that this correspondence is being facsimile transmitted to the U.S. Patent and Trademark Office, Group Art Unit No. 2671 (Fax No. (703) 872-9306).

Signed:

Typed Name / Mic

Michael Carte

Date: 347 7,2004

Respectfully Submitted,

Kenneth C. Brooks Reg. No. 38,393

P.O. Box 10417 Austin, Texas 78766 1417 Telephone: 512-527-0104 Facsimile: 512-527 0107 patentsrus@eorthlink.net

P.05

Please type a plus sign (+) inside this box

≯[÷]

PTO/S8/08A (08-00)

Approved for use through 10/31/2002 OMB 0651-4831 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number Complete If Known Substitute for form 1449A/PTO Application Number 09/884,424 INFORMATION DISCLOSURE Filing Date June 19, 2001 STATEMENT BY APPLICANT First Named Inventor Robert Mays, Jr. Group Art Unit 2671 (use as many shoots as necessary) **Examiner Name** Unassigned Sheet of Attorney Docket Number MYS-01-08-12

Examiner Initials	U.S. Patent Document			Name of Patrotop or Applicant   Date of Publication of   Payes, Columns, Lines,		
	Cité No.	Number	Kind Code <sup>2</sup> (if known)	Name of Patentee or Applicant of Cited Document	Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Helevant Figures Appear
***	C1	5,706,144	B1	Erteza	01-06-1998	
-	1				1	
	<del>-1</del>		<del>-</del>			
	++		<del></del>			
	<del>  -</del>		<del>- </del>			
	<del></del>					
	+					
	$\bot$					<b></b>
	I T					
	1 1					•
	+ +		1			
	<del>                                     </del>					
	<del>-  -</del>		<del> </del>			
	<del>-  -</del>				ļ	
	$\bot$		<del> </del>			
						•
	1					
,,	$\top$					
				,	<del></del>	
****	1 1		<del> </del>		<del> </del>	
	+ +		<del> </del>			
	<del>-  -</del>			· · · · · · · · · · · · · · · · · · ·		
			ļ			
	<del>                                     </del>					
						-
	T - 1				\ <del></del>	
			1			
	<del>                                     </del>		<del>†                                      </del>			
	+ +		<del> </del>	<del></del>		
un animas	<del></del>		1 1			
Examiner Signature				Date Considered		

<sup>&</sup>quot;EXAMINER" tritigal if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant,

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FERS OR COMPLETED FORMS 1D THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

<sup>&</sup>lt;sup>1</sup>Unique citation designation number. <sup>2</sup>Seu attached Kinds of U.S. Patent Documents. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>4</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Franslation is attached.